

AMENDED IN SENATE AUGUST 7, 2006

AMENDED IN SENATE JUNE 13, 2006

AMENDED IN ASSEMBLY MAY 27, 2005

AMENDED IN ASSEMBLY MAY 3, 2005

AMENDED IN ASSEMBLY APRIL 21, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1699

Introduced by Assembly Member Frommer

February 22, 2005

An act to ~~add Chapter 12.5 (commencing with Section 2539) to Division 3 of the Streets and Highways Code~~, relating to railroads.

LEGISLATIVE COUNSEL'S DIGEST

AB 1699, as amended, Frommer. Commuter *and* *intercity* passenger trains: *push-pull* operation: *study*.

(1) Existing law provides for federal regulation of safety and equipment matters relative to rail passenger and freight service, and provides for federal and state funding of various rail passenger services throughout the state. Existing law sets forth responsibilities of the Public Utilities Commission relative to railroad safety. *Existing law provides for the Director of Transportation to allocate available funds from the Public Transportation Account to the Institute of Transportation Studies at the University of California for various transportation research activities.*

This bill would require ~~a transportation agency operating commuter rail service, as defined, or contracting for the operation of commuter~~

rail service, to prohibit passengers from riding in the forward 10 rows of seats of any level of a cab car on a commuter train operating in push configuration. The bill would also, commencing January 1, 2010, prohibit these transportation agencies from operating, or contracting with a commuter rail service that operates, a commuter train in push configuration. Because the bill imposes new requirements on local agencies, it would impose a state-mandated local program the Department of Transportation to contract with the Institute of Transportation Studies to conduct a study of the safety of push-pull commuter rail and intercity rail passenger operations in California, and would require the study to be submitted to the Legislature by June 1, 2008.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions:

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~ no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:
3 (a) Commuter rail and intercity rail passenger services are
4 important elements of an intermodal surface transportation
5 system.
6 (b) The Legislature and the residents of California desire a
7 safe commuter rail and intercity rail passenger transportation
8 system.
9 (c) To ensure that the state's system of commuter rail and
10 intercity rail passenger services are operating in an environment
11 that assures passenger safety, the Legislature desires an
12 independent study to review the current safety of these services
13 and the most cost-effective options and strategies that will
14 enhance passenger safety.

1 *SEC. 2. (a) The Department of Transportation shall contract*
2 *with the Institute of Transportation Studies at the University of*
3 *California at Berkeley to conduct a study of the safety of*
4 *push-pull commuter rail and intercity rail passenger operations*
5 *in California.*

6 *(b) The study shall examine the safety of push-pull technology*
7 *compared to pull operations; the efficacy of crash energy*
8 *management systems designed into cab cars and conventional*
9 *passenger rail cars; the potential for the reduction of accidents*
10 *through the use of electronic crash avoidance technologies; the*
11 *viability of sealed corridor strategies intended to reduce*
12 *accidents at grade crossings and reduce the unauthorized*
13 *intrusions into railroad rights-of-way by pedestrians and*
14 *vehicles; and other safety strategies that the institute may deem*
15 *appropriate and in its judgment determines should be brought to*
16 *the attention of the Legislature.*

17 *(c) After identifying the alternative strategies to improve the*
18 *safety of push-pull commuter rail and intercity rail passenger*
19 *operations, the study shall identify the safety benefits that would*
20 *result from implementing the strategies, the estimated cost of*
21 *implementing the strategies, and the overall cost-effectiveness of*
22 *the strategies. In conducting the study, the institute shall ensure*
23 *that there is an individual participating on the research team*
24 *who is familiar with the generation and interpretation of*
25 *transportation safety statistics.*

26 *(d) In conducting the study, the institute shall establish an*
27 *advisory panel that includes representatives from the*
28 *department, the Public Utilities Commission, the Federal*
29 *Railroad Administration, Amtrak, California commuter rail*
30 *operators, passenger rail user groups, freight railroads, and*
31 *others deemed appropriate by the institute. In conducting the*
32 *study, the institute is encouraged to consult with knowledgeable*
33 *persons at other research centers regarding the study. The*
34 *content of the report and its final recommendations shall reflect*
35 *the judgment and conclusions of the research team.*

36 *SEC. 3. The study required by Section 2 of this act shall be*
37 *submitted to the Legislature on or before June 1, 2008.*

38 ~~SECTION 1. Chapter 12.5 (commencing with Section 2539)~~
39 ~~is added to Division 3 of the Streets and Highways Code, to read:~~

1 ~~CHAPTER 12.5. COMMUTER TRAIN OPERATIONS~~

2
3 ~~2539. (a) A transportation agency operating commuter rail~~
4 ~~service or contracting for the operation of commuter rail service~~
5 ~~shall prohibit passengers from riding in the forward 10 rows of~~
6 ~~seats of any level of the cab car when the commuter train is~~
7 ~~operating in push configuration. Commencing January 1, 2010, a~~
8 ~~transportation agency operating commuter rail service or~~
9 ~~contracting for the operation of commuter rail service shall not~~
10 ~~operate, or contract with a commuter rail service that operates, a~~
11 ~~commuter train in push configuration.~~

12 ~~(b) As used in this chapter, the following terms shall have the~~
13 ~~following meanings:~~

14 ~~(1) "Commuter rail service" means rail passenger service~~
15 ~~operating on a railroad that is subject to regulation by the Federal~~
16 ~~Railroad Administration, but excludes intercity rail passenger~~
17 ~~service, as that term is defined in subdivision (h) of Section~~
18 ~~99602 of the Public Utilities Code.~~

19 ~~(2) "Cab car" means a passenger railroad car with operating~~
20 ~~controls that operates at the front of the train in lieu of the~~
21 ~~locomotive when the train is operating in push configuration.~~

22 ~~(3) "Push configuration" means a train operating with a cab~~
23 ~~car at the front of the train and the locomotive at the rear of the~~
24 ~~train.~~

25 ~~SEC. 2. If the Commission on State Mandates determines that~~
26 ~~this act contains costs mandated by the state, reimbursement to~~
27 ~~local agencies and school districts for those costs shall be made~~
28 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
29 ~~4 of Title 2 of the Government Code.~~